

Renewable Energy Uses of the Outer Continental Shelf BOEM South Carolina Task Force Charter

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Introduction

On April 22, 2009, President Barack Obama announced that the Bureau of Ocean Energy Management (BOEM) finalized the framework for renewable energy generation on the Outer Continental Shelf (OCS). The framework establishes a BOEM program to issue leases, easements, and rights-of-way for orderly, safe, and environmentally responsible renewable energy development activities, such as the siting and construction of wind generation facilities on the OCS. The BOEM is planning to conduct a commercial leasing process offshore the State of South Carolina. This charter establishes a South Carolina OCS Renewable Energy Task Force (“BOEM South Carolina Task Force”) to assist government decision-making within the umbrella of the established BOEM regulatory framework regarding renewable energy leasing and development on the OCS off the coast of South Carolina.

Authority

Subsection 8 (p) (7) of the OCS Lands Act, as amended by the Energy Policy Act of 2005 (EPAAct), directs the Department of the Interior (DOI) through the BOEM to *provide for coordination and consultation with the Governor of any state or the executive of any local government that may be affected by a lease, easement, or right-of-way* authorizing renewable energy activities on the OCS. The BOEM is establishing the BOEM South Carolina Task Force to help fulfill this obligation in its consideration of potential leasing activities on the OCS offshore South Carolina.

This charter does not expand or alter the scope of the task force members’ respective authorities, and shall not be construed to create any legal obligation on the part of any task force member or any private right or cause of action for or by any person or entity.

Purpose

The BOEM South Carolina Task Force is chartered by the BOEM Director to facilitate coordination and consultation on commercial leasing proposals on the OCS offshore South Carolina as stipulated in EPAAct 2005. This Task Force is not chartered under the Federal Advisory Committee Act and thus is wholly intergovernmental with regard to membership and participation.

Numerous local, state, and federal governmental agencies have statutory roles related to OCS renewable energy projects. To the extent practicable, the BOEM South Carolina Task Force will work to ensure the most efficient, effective, and coordinated review within established procedures of proposed projects to support the Administration’s goal of broadening the energy

resource portfolio for the Nation, consistent with individual agency and government mandates, and statutory and jurisdictional authority.

Participation in the task force offers members the opportunity to provide meaningful and timely input in the implementation of the BOEM renewable energy regulatory framework throughout the leasing process. While the BOEM will consider all task force member input, the BOEM South Carolina State Task Force is neither a decision-making nor approval body. The Secretary of the Interior remains the ultimate decision-maker with regard to renewable energy leasing on the OCS.

Immediate Charge – Activities needing to be addressed in the short term and discussed at the inaugural meeting of the BOEM South Carolina Task Force meeting include, but are not limited to:

- Review and adopt the BOEM South Carolina Task Force charter;
- Explain the BOEM leasing processes for OCS renewable energy and discuss in detail the specific steps proposed for leasing off South Carolina, beginning with identification of an area of interest as the first step;
- Facilitate task force member understanding of the leasing process and where individual government bodies fall within this process;
- Detail specific actions or categories of actions required by the BOEM, other Federal agencies, and the state to further the development offshore renewable energy in a safe and environmentally sound manner, and the associated timeframe with each;
- Identify additional Federal, tribal, and/or state/local government representatives/points of contact, as appropriate, to serve as initial participants on the task force;
- Adopt operating and communication procedures for the BOEM South Carolina Task Force; and
- Identify additional topics that need to be addressed by the BOEM South Carolina Task Force.

Subsequent Activities – to be considered by the BOEM South Carolina Task Force in future meetings, possibly to include the following:

- Identify one or more areas of interest for renewable energy leasing on the OCS offshore South Carolina;
- Develop process for communicating and streamlining established permit and review processes for proposed projects;
- Develop materials or guidance documents deemed necessary and appropriate for task force members to better understand the leasing process and their respective roles and responsibilities;
- Where appropriate, streamline individual member processes as appropriate where efficiencies are identified by the task force;
- Identify any regulatory uncertainties that may become issues of concern during the review of proposed projects;
- Facilitate intergovernmental coordination on specific subject areas within the scope of proposed project review;
- Coordinate and collaborate on information-gathering efforts to help inform the task force membership where appropriate; and

- Identify data gaps that require further study.

Membership and Communication

Members of the BOEM South Carolina Task Force include Federal agencies, tribal governments, and South Carolina state and local agencies that have a role in permitting, reviewing, and/or regulating resources or activities that could be affected by or have an effect on renewable energy development on the OCS. BOEM recognizes that the participants in the task force may change over time as the status of project review progresses, and that the membership list will be dynamic. The Governor has designated Ashlie Lancaster, Director of the South Carolina Energy Office, to act on the Governor's behalf on the BOEM South Carolina Task Force to lead efforts on behalf of state and local agencies. The BOEM will also work with tribal and Federal agencies through primary points-of-contact. These primary points of contact will be responsible for rallying participation from all possible participating functional units within their respective organizations and cultivating open exchange of information throughout the process.

The BOEM will use email to communicate meeting dates, times, and locations with and distribute meeting materials to the task force membership through primary points-of-contact. Materials distributed and discussed at task force meetings are of a sensitive nature and must not be circulated beyond task force member representatives unless expressly permitted by BOEM. In-person meetings will be arranged on an as-needed basis, such as when critical milestones are imminent in the BOEM leasing process (e.g., prior to the publication of public notices and announcements). The BOEM may also arrange for task force meetings to be held via conference call or web-meeting software (e.g., WebEx). Any appropriate information or materials from BOEM South Carolina Task Force meetings will be made available on the BOEM web site.